IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 2647 of 2005

Between:

1 Sri Patnala Nageswara Rao, S/o Shankarnarayana,
Venkateswara Towers, Plot No.402, Sitammadhara,
North Extension, Near Saibaba Temple, Vishakapatnam.
2 Smt. Patnala Triveni, W/o Shankarnarauana,
D.No.47-3-41, Dwarakanagar, Vishakapatnam.
3 Smt. Epari Delhibhai, W/o Tirumala Rao,
D.No.50-25-12/2, T.P.T.Colony,
Sitammadhara, Vishakapatnam.
4 Srivaranasi Sridhar, S/o Narayanamurhty,
d.No.49-54-8/3, Flat No.G6, Annapurna Apartment,
Balaiah Sastri Layout, Vishakapatnam.
5 Sri Epari Prabhakar Rao, S/o Venkata Ratnam, D.No.49-23-28, Ganapathi Gayatri Enclave,
Flat No.14, 3rd Floor, Vishakapatnam, Represented by their GPA holder B.V.Ramana
S/o B.Adinarayana aged about 45yrs, R/o 50-27-16/1, TPT Colony, Besides ING Vysya Bank, Vishakapatnam.

..... PETITIONERS

AND

1 The Commissioner of Police, Vishakapatnam.
2 The Asst. Commissioner of Police, Gajuwaka,
Vishakapatnam.
3 The Station house Officer, Pendurthi, Vishakapatnam.
4 The Executive Officer, Simhachalam, Devasthanam,
Simhachalam Vishakapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction more particularly in the nature of Writ of mandamus declaring the in action of the part of the Respondents in not providing police aid to the petitioners and their GPA Holder in pursuance of the complaint dt. 01/02/2005 as illegal, arbitrary, unconstitutional and violative of article 14 of constitution of India and consequently direct the respondents to provide necessary police protection to the petitioners and their GPA Holder and the revenue staff from the unauthorized encroachers in the event of entering into the lands belongs to the petitioners in Sy.No.141/1B in Vapagunta Village, Penduruthi Mandal Visakhapatnam District.

Counsel for the Petitioner: MR.C.B.RAM MOHAN REDDY

Counsel for the Respondent : GP FOR HOME

The Court made the following :

THE HONORUABLE SRI JUSTICE D.S.R.VARMA

WRIT PETITION NOs.2647 OF 2005

ORDER:

Petitioners seek police protection on the ground that some anti-social elements have been interfering with their rights of regularization accrued by virtue of the policy of the Government.

It is difficult to identify the persons who have been actually invading or interfering with the rights of the petitioner, when they are not made parties. Mere asking for police protection, without there being any proof, is not a circumstance to grant the relief sought for. Since the dispute arise out of the property rights, it is always desirable for the petitioners to approach the competent Civil Court and seek appropriate relief or any other remedy as may be available in law.

With the above observation, the writ petition is closed.

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(***JUSTICE D.S.R.VARMA)***

Dt.02.3.2005.

Mdaa.

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner of Police, Vishakapatnam.
2 The Asst. Commissioner of Police, Gajuwaka, Vishakapatnam.
3 The Station house Officer, Pendurthi, Vishakapatnam.
4 The Executive Officer, Simhachalam, Devasthanam, Simhachalam Vishakapatnam.

5. two C.Cs to G.P.for Home, High Court of A.P., Hyderabad (OUT).

6) 2 CD copies

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